

INTER-OFFICE COMMUNICATIONS

Palm Beach County, Florida

TO: John Sansbury, County Administrator
Maureen Peterman, County Attorney's Office
Herbert Kahlert, County Engineer
David Bludworth, State Attorney
Robert L. Dogen, Asst. Attorney General
Captain Cook, Sheriff's Dept.
Frank Schulz, Sheriff's Office
Robert Basehart, Planning, Building & Zoning
Bob Palchanis, Building Division, Director
Assistant County Attorney - Rick Farrell & John Corbett
Ms. Peggy Springer - 4th District Court of Appeals

DATE: April 20, 1983

FROM: John W. Dame
Chief Deputy Clerk

83-5

RE: PALM BEACH COUNTY ORDINANCE NO. _____

- 83-4 An Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Ord. No. 70-1, Section IV, Regulation of Vehicular Traffic Landside at Palm Beach International Airport...
- 83-5 An Ordinance of the Board of County Commissioners of Palm Beach County, FL, amending Ordinance No. 80-8, as amended by Ordinances No. 81-27 and No. 82-26 to incorporate changes from the January 1983 Review of the Palm Beach County Comprehensive Plan.....

In accordance with the request of the Board of County Commissioners enclosed is a copy of subject Ordinance.

Signed

Mrs. Marie Clinger

JWD:lc

Enclosure

cc: Commissioner Evatt
Commissioner Spillias
Commissioner Koehler
Commissioner Wilken
Commissioner Bailey
John B. Dunkle, Clerk
Minutes Department

ORDINANCE NO. 83-5

ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING ORDINANCE NO. 80-8, AS AMENDED BY ORDINANCES NO. 81-27 AND NO. 82-26, TO INCORPORATE CHANGES FROM THE JANUARY 1983 REVIEW OF THE PALM BEACH COUNTY COMPREHENSIVE PLAN, PROVIDING FOR: AMENDMENTS TO THE COMPREHENSIVE PLAN; REPEAL OF CONFLICTING ORDINANCES; SEVERABILITY; AND EFFECTIVE DATE.

WHEREAS, the Local Government Comprehensive Planning Act of 1975, as amended, Section 163.3161, et seq., Florida Statutes, requires each local government in the State of Florida to adopt a Comprehensive Plan to guide and control future development; and

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida, pursuant to said act, adopted Ordinance No. 80-8 establishing the Palm Beach County Comprehensive Plan; and

WHEREAS, the Comprehensive Plan provides that the Board of County Commissioners may provide for a second review during January to determine the necessity of any changes to the Comprehensive Plan; and

WHEREAS, the Board of County Commissioners provided for a review of the Comprehensive Plan in January, 1983, to determine the necessity of any changes proposed by the County or any governmental agency; and

WHEREAS, on January 18, 1983, the Board of County Commissioners set as the Palm Beach County Local Planning Agency to review all proposed changes and make recommendations therein; and

WHEREAS, on January 25, 1983, the Board of County Commissioners adopted amendments to the Future Land Use Element involving less than five (5) percent of the total land areas of unincorporated Palm Beach County pursuant to Section 163.3184(7)(b), Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

SECTION I. AMENDMENTS TO THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN INVOLVING LESS THAN FIVE (5) PERCENT OF THE TOTAL LAND AREA OF UNINCORPORATED PALM BEACH COUNTY.

The Palm Beach County Comprehensive Plan Future Land Use Element which was attached as an exhibit to the Palm Beach County Ordinance No. 80-8, as amended by Ordinances No. 81-27 and No. 82-26, is hereby amended as follows:

A. Beginning on Page 8, the Specific Permitted Commercial and Industrial Locations and Special Land Use Policies and Regulations by Reference Area section is hereby amended to add the following Special Commercial Potential Designations:

1) Area No. 2

3. On the south side of Indianola Road, approximately 1200 feet west of the Louhatchee River for a distance not to exceed 430 feet (along Indianola Road) west of the Jupiter City Limits, existing on January 1, 1983.

2) Area No. 8

8. All of blocks 1 through 6 and the north half of blocks 7 through 12 of the West Gate Estates subdivision, and the east side of Swanee Avenue for a depth of 273 feet south of Okeechobee Boulevard.

9. The area enclosed by Cherokee Avenue on the north, Kokomis Avenue on the south, Mabasso Drive on the east and the section line between sections 25 and 30 on the west; provided that any application for any development order must have the following:

a. A minimum frontage of fifty feet (50) along Westgate Avenue or Mabasso Drive;

b. Access only to Westgate Avenue or Mabasso Drive; and

c. Where the application includes the secondary tier or lots not fronting on Westgate Avenue, have an integrated site plan for the entire area.

Secondary access may be allowed at the discretion of the Board of County Commissioners in cases of hardship.

10. The area enclosed by Cherokee Avenue or its extension on the north, Kokomis Avenue on the south, the easterly lot lines of lots 15 and 45 in Block 29 and lots 15 and 45 in Block 35 on the east, and Ocoola Drive on the west; provided that any application for any development order must have the following:

a. A minimum frontage of fifty feet (50) along Westgate Avenue or Ocoola Drive;

b. Access only to Westgate Avenue or Ocoola Drive; and

c. Where the application includes the secondary tier of lots not fronting on Westgate Avenue, have an integrated site plan for the entire area.

Secondary access may be allowed from other streets at the discretion of the Board of County Commissioners in cases of hardship.

B. Beginning on Page 8, the Specific Permitted Commercial and Industrial Locations and Special Land Use Policies and Regulations by Reference Area section is hereby amended to add the following Special Policies which change the Residential Land Use Plan Categories:

1) Area No. 25

The Land Use Plan Category is changed from Very Low (VL) Residential to Very Low to Low (VL-L) Residential for the Westerly 3/4 of the South 1/4 of the SE 1/4 of Section 29, Township 42 South, Range 37 East, less and except therefrom the South 3.14 acres more or less, described as follows:

A tract of land located in Section 29, Township 42 South, Range 37 East, Palm Beach County, Florida, as follows: Beginning at a point which is North 00°05' West 521.89 feet and South 89°56' East 506.64 feet from the Southwest corner of Everglades Farm Labor Supply Center, which corner is also the Southwest corner of Tract 51, as recorded in Deed Book 609, page 361, by Clark of the Circuit Court, Palm Beach County, Florida. From this point which represents the Southwest corner of school tract, thence North 00°04' East 280 feet, thence South 89°56' East along the South right-of-way line of street North of school 488 feet, thence South 00°04' West 280 feet, thence North 89°56' West along the North right-of-way line of street South of school, 488 feet to the point of Beginning. And less and except the South 369.84 feet of the East 369.84 feet of the West 3/4 of the South 1/4 of the SE 1/4 of Section 29, Township 42 South, Range 37 East, recorded in Palm Beach County, Florida.

SECTION II. REPEAL OF CONFLICTING ORDINANCES

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION III. SEVERABILITY

If any section, paragraph, sentence, clause, phrase, or word of this ordinance is for any reason held or declared to be unconstitutional, inoperative, or void, such holding shall not affect the remainder of this ordinance.

SECTION IV. EFFECTIVE DATE

The provisions of this ordinance shall become effective upon

receipt of acknowledgement of the
Department of State, State of Florida.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm
Beach County, Florida on the 5th day of April, 1983.

PALM BEACH COUNTY, FLORIDA BY ITS
BOARD OF COUNTY COMMISSIONERS

By: K. L. Sullivan
Vice Chairman

Acknowledged by the Department of State of the State of Florida,
on this, the 14th day of April, 1983.

EFFECTIVE DATE: Acknowledgment from the Department of State
received on the 18th day of April, 1983, at 4:04 P.M., and
filed in the office of the Clerk of the Board of County Commissioners of
Palm Beach County, Florida.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: John P. D.
County Attorney

COUNTY OF PALM BEACH, STATE OF FLORIDA

CLERK OF CIRCUIT COURT

I, John B. Dunkle, Clerk of the Fifteenth Judicial Circuit Court
of the State of Florida and Clerk of the Board of County Commissioners, do
hereby certify that the above and foregoing is a true and correct copy of

two Ordinances designated and cited as:

- 1) An Ordinance of the Board of County Commissioners of Palm Beach
County, FL, amending Ordinance No. 70-1, Section IV, Regulation
of Vehicular Traffic Landside at Palm Beach International Airport...

AND

- 2) An Ordinance of the Board of County Commissioners of Palm Beach
County, FL, amending Ordinance No. 80-8, as amended by Ordinances
No. 81-27 and No. 82-26 to incorporate changes from the January
1983 Review of the Palm Beach County Comprehensive Plan.....

These Ordinances were approved and adopted by the Board of County Commissioners
of Palm Beach County in regular session April 5, 1983, as shown by the records
of this office.

Given under my hand and the Seal of the

Board of County Commissioners of Palm

Beach County, Florida, at the County

Courthouse, West Palm Beach, Florida,

this the 19th day of April, A.D., 1983.

JOHN B. DUNKLE, Clerk of
Circuit Court and Clerk of the
Board of County Commissioners.

By: Michael J. [Signature]
Deputy Clerk